



**Western  
Pacific  
Regional  
Fishery  
Management  
Council**

August 6, 2004

Dr. William Hogarth  
Assistant Administrator for Fisheries  
National Marine Fisheries Service  
1315 East-West Highway  
Silver Spring, MD 20910

Dear Dr. Hogarth,

The Western Pacific Regional Fishery Management Council would like to thank the National Marine Fisheries Service (NMFS) for providing an opportunity to comment on the petition by Oceana regarding deep sea coral protection. The Council fully supports the protection of these fragile benthic habitats, which promote benthic biodiversity. Trawling of sponge habitat on the Australian NW shelf led to a major decline in bottomfish populations.

However, Oceana's petition does not take into account the loss of revenue and economic loss that would result from those actions. The Council believes that where there is a high degree of overlap between trawls and precious coral or sponge beds, NMFS should consider buyout programs to recompense fishermen for the loss of their livelihood.

The Council currently provides protection for corals under two of its Fishery Management Plans (FMPs): the Precious Corals FMP and the Coral Reef Ecosystem FMP. Through the regulations promulgated under both FMPs, corals in both the deep and shallow waters of the Western Pacific are currently being protected. The Precious Corals FMP was published in September 1983 (48 FR 39229) and established the plan's management unit species and management area, as well as classifying several known beds. The Coral Reef Ecosystems FMP was published on February 24, 2004 (69 FR 8336).

Precious corals may be harvested for both commercial or non-commercial (research) use. Whatever the reasons, the Council's Precious Coral FMP provides guidance on how this can be accomplished with minimal impact on the precious corals and their substrate by specifying that only selective gear (gear that can discriminate or differentiate between types, size, quality, or characteristics of living or dead corals) may be used for harvesting precious corals in the Western Pacific. By definition, this also bans the use of bottom-trawling, bottom-set gill nets, and bottom-set longlines due to the damage they can cause to demersal substrates, a key point in the argument made by Oceana in its petition. In addition, area, quota, and size restrictions, as well as a permitting process are provided for in the FMP in order to manage this resource.

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A Council Authorized by the Magnuson Fishery Conservation and Management Act of 1976

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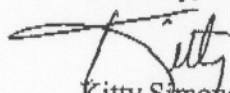
The Council also fully supports the need to map precious coral and sponge beds so that they may be defined and given adequate protection. Moreover, mapping of trawl fisheries with precious coral or sponge beds will reveal the degree of management intervention necessary to protect the beds. Mapping can also be used to define essential fish habitat for this resource.

In 1998, Amendment 4 to the Precious Corals FMP, Essential Fish Habitat (EFH) and Habitat Areas of Particular Concern (HAPC) were designated for precious corals in the Western Pacific Region. EFH for Western Pacific precious corals consists of six known precious coral beds located off Keahole Point, Makapuu, Kaena Point, Wespac Bed, Brooks Bank, and 180 Fathom Bank. EFH has also been designated for three beds known for black corals in the Main Hawaiian Islands (MHI) between Miloliii and South Point on the Big Island, the Auau Channel, and the southern border of Kauai. HAPC are the Makapuu Bed, Wespac Bed, and Brooks Bank Bed. For black corals, the Auau Channel has been identified as HAPC.

The Council is pleased to see that the rest of the United States is catching up with regulations put forth in the Precious Corals FMP over 20 years ago. The Precious Coral FMP might be used in the first instance as a model of how these resources can be protected and managed. In NMFS' response to the Oceana petition, the Council requests that the above points be included as an example of the protection of deep water corals in the Western Pacific.

In addition, the Council would like to again clarify that deep water corals such as those managed under the Precious Corals FMP are significantly different from coral reef species, and that any management measures should be based on scientific information that takes these differences into account. To confuse these species will lead to inappropriate decisions based on emotional reactions rather than well known biological information.

Sincerely,



Kitty Simonds  
Executive Director

cc: Council Members